



NEWS RELEASE

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California Supreme Court to Hold Special Outreach Session in Sonoma County

***Live TV Broadcast of Oral Arguments October 2 and 3;
Hundreds of Students, Teachers Participate in Annual Event***

San Francisco—For the seventh year in a row, the California Supreme Court will reach out to hundreds of high school and middle school students at a special oral argument session on October 2 and 3, 2007, at the Sonoma County Day School, 4400 Day School Place, Santa Rosa.

More than 1,500 students from 22 public and private schools are expected to attend the two-day session, which will feature a live statewide television broadcast of five cases involving issues ranging from free speech and breach of contract to death penalty proceedings.

The outreach program is designed to improve public understanding of the role and function of the state courts and is being held in collaboration with the Superior Court of Sonoma County.

LIVE TELEVISION BROADCAST

California Channel, a public affairs cable network, will broadcast oral arguments in the five cases during both morning sessions in Santa Rosa. The first morning will also feature a question-and-answer session with the students and justices. The network reaches 6.5 million viewers across the state and will offer a satellite link to facilitate coverage by other stations. Local viewing information is available at www.calchannel.com/carriage.htm.

The Supreme Court has launched an educational Web site for the event, with online briefs and detailed case summaries in each case to be argued, at www.courtinfo.ca.gov/courts/supreme/sr-oralarg.htm. During the next two weeks, 94 local judges and attorneys will use those materials to brief students on the legal issues in the cases and the Supreme Court's role and function.

A planning committee chaired by Judge Elaine M. Rushing of the

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Superior Court of Sonoma County is coordinating the event in collaboration with the Supreme Court. The committee includes Sonoma county judges, the court's executive officer, and leaders of the local bar association and education community.

"Sonoma Superior Court is excited to have the Supreme Court accept our invitation to hold oral argument sessions in our county to give as many of our students as possible a chance to see justice in action and experience the process through which all important judicial decisions are rendered," said Presiding Judge Robert S. Boyd.

CASES TO BE TELEVISED

The cases to be broadcast live by California Channel include the following legal issues. The official case summaries appear on the attached calendar.

Tuesday, October 2, 9:00 a.m. to 12:00 p.m.

Fashion Valley Mall, LLC v. National Labor Relations Board et al. (S144753)—This "free speech" case concerns whether a shopping mall may prohibit people on its property from urging customers to boycott a store in the mall. A union representing a newspaper was prohibited from handing out leaflets in front of a department store at the Fashion Valley Shopping Mall in San Diego. The mall required the union to obtain a permit, which the mall would issue only if the union promised not to urge customers to boycott any of the stores in the mall. A federal appeals court in Washington, D.C. asked the California Supreme Court whether the California Constitution allowed the mall to require the union to promise not to urge customers to boycott the store.

Rico et al. v. Mitsubishi Motors Corp. et al. (S123808)—Plaintiffs sued defendants, automobile manufacturers, after a sport utility vehicle rolled over on a southern California freeway and caused them major injuries. The legal issue before the court, however, concerns whether plaintiffs properly made use of the opposing lawyer's notes, after plaintiffs' lawyers discovered those notes. The Supreme Court granted review to determine what action must be taken by an attorney who inadvertently receives privileged documents and whether disqualification of counsel and experts is an appropriate remedy under the circumstances of this case.

Wednesday, October 3, 2007, 9:00 a.m. to 12:00 p.m.

In re Bell (Ronald Lee) on Habeas Corpus (S105569)—Ronald Lee Bell was convicted and sentenced to death for the murder of Raymond Murphy during the 1978 robbery of a jewelry store in Richmond. Bell shot Murphy, the store manager, and another employee and fled with more than \$30,000 worth of jewelry. After Bell's conviction was affirmed on appeal by the California Supreme Court, he petitioned the court for a writ of habeas corpus—a postappeal procedure for overturning a criminal conviction. Bell claims that he is innocent of the robbery-murder that his brother Larry Bell committed the crime, and that eyewitnesses testified falsely at trial.

City of Stockton et al. v. Superior Court (Civic Partners Stockton, LLC, Real Party in Interest) (S139237)—A developer sued the City of Stockton, asserting that the city breached contracts for the redevelopment of a hotel and construction of a movie theater next to the hotel. The city argues that it cannot be sued because the developer neglected to notify the city by filing an administrative claim under the “Tort Claims Act” before filing a contract suit in court. The developer argues that no such claim was required because its underlying action is for breach of contract, and not for a “tort.”

People v. Watson (Joey R.) (S131052)—A state prison inmate, Joey Reuben Watson, was transferred to Atascadero State Hospital for acute mental health treatment. When he was being admitted to Atascadero, Watson lunged at and hit a nurse, committing a “battery.” The legal question before the court is whether, under the circumstances of this case, this crime should be classified as (a) a felony, with imprisonment of two to four years, or (b) a misdemeanor, with punishment of only six months’ incarceration. The answer to that question in turn depends upon how the court interprets the relevant Penal Code statutes, sections 4501.1, 4504, and 6082.

The Supreme Court’s complete October 2007 calendar with case summaries appears below and also is available on the California Courts Web site at:

www.courtinfo.ca.gov/courts/calendars/documents/SOCTA07.PDF.

For detailed case summaries and online briefs, please see:

www.courtinfo.ca.gov/courts/supreme/sr-oralarg.htm.

**SUPREME COURT OF CALIFORNIA
ORAL ARGUMENT CALENDAR
SPECIAL SESSION—SANTA ROSA
OCTOBER 2 and 3, 2007**

FIRST AMENDED

The following case summaries are issued to inform the public and the press of cases that the Supreme Court has scheduled for oral argument and of their general subject matter. Generally, the descriptions set out below are reproduced from the original news release issued when review in each of these matters was granted and are provided for the convenience of the public and the press. The descriptions do not necessarily reflect the view of the court or define the specific issues that will be addressed by the court.

TUESDAY, OCTOBER 2, 2007—9:00 A.M.

(1) Fashion Valley Mall, LLC v. National Labor Relations Board et al., S144753

#06-89 Fashion Valley Mall, LLC v. National Labor Relations Board et al., S144753. (D.C. Cir. No. 04-1411; 451 F.3d 241.) Request under California Rules of Court, rule 8.548 (formerly rule 29.8), that this court decide a question of California law presented in a matter pending in the United States Court of Appeals for the District of Columbia Circuit. This case presents the following issue: Under California law, may Fashion Valley maintain and enforce against the union its rule 5.6.2, which allows individuals and organizations to engage in expressive activities on its premises with a permit if they agree to abide by its rules and regulations that prohibit urging consumers to boycott any of the mall's tenants?

(2) *Rico et al. v. Mitsubishi Motors Corp. et al.*, S123808

#04-58 Rico et al. v. Mitsubishi Motors Corp. et al., S123808. (E033616; 116 Cal.App.4th 51; Superior Court of San Bernardino County; RCV39233.) Petition for review after the Court of Appeal affirmed an order in a civil action. This case includes the following issue: Did the trial court properly disqualify plaintiffs' attorneys and plaintiffs' expert witnesses as a sanction when an attorney representing one of the plaintiffs, after inadvertently receiving a document prepared by defense counsel that included confidential work product, extensively reviewed the document with the attorneys representing other plaintiffs and with plaintiffs' expert witnesses?

1:30 P.M.

(3) *People v Kelly (Douglas)*, S049973 [Automatic Appeal]

This matter is an automatic appeal from a judgment of death.

(4) *Hebrew Academy of San Francisco et al. v. Goldman et al.*, (George, C.J. and Werdegarr, J., not participating; Mallano and Manella, JJ., assigned justices pro tempore), S134873

#05-187 Hebrew Academy of San Francisco et al. v. Goldman et al., S134873. (A106618; 129 Cal.App.4th 391; Superior Court of San Francisco County; 414796.) Petition for review after the Court of Appeal reversed the judgment in a civil action. This case presents the following issue: When a publication containing an allegedly defamatory statement is available to the public but has a very limited distribution, does the statute of limitations on a defamation cause of action begin to run at the time of the first general distribution (the "single publication rule") or when the allegedly defamatory statement is or reasonably should have been discovered (the "discovery rule")?

(5) *People v. Mendoza (Martin)*, S067678 [Automatic Appeal]

This matter is an automatic appeal from a judgment of death.

WEDNESDAY, OCTOBER 3, 2007—9:00 A.M.

(6) In re Bell (Ronald Lee) on Habeas Corpus, S105569

#03-25 In re Bell (Ronald Lee) on Habeas Corpus, S105569. Original proceeding. In this case, which is related to the automatic appeal in *People v. Bell* (1989) 49 Cal.3d 502, the court issued an order to show cause limited to the following claims: Is petitioner entitled to relief on the grounds that he is actually innocent and that the prosecution introduced false testimony at the trial?

(7) City of Stockton et al. v. Superior Court of Sacramento County (Civic Partners Stockton, LLC, Real Party in Interest), S139237

#06-09 City of Stockton et al. v. Superior Court of Sacramento County (Civic Partners Stockton, LLC, Real Party in Interest), S139237. (C048162; 133 Cal.App.4th 1052; Superior Court of Sacramento County; 03AS00193.) Petition for review after the Court of Appeal granted a petition for peremptory writ of mandate. This case includes the following issue: Must a claim be presented under the Government Claims Act (Gov. Code, § 810 et seq.) in order to bring an action against a public entity for breach of contract?

(8) People v. Watson (Joey R.), S131052

#05-75 People v. Watson (Joey R.), S131052. (B172763; 125 Cal.App.4th 700; Superior Court of San Luis Obispo County; F340614.) Petition for review after the Court of Appeal reversed a judgment of conviction of a criminal offense. This case presents the following issue: Is a state prison inmate who has been transferred to a state hospital for mental health treatment (see Pen. Code, § 2684) a person who is “confined in a state prison” for the purpose of such offenses as battery by a person confined in state prison upon a non-confined person in violation of Penal Code section 4501.5? (See Pen. Code, § 4504.)

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